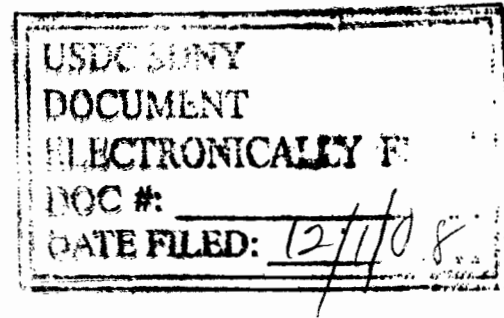


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



**In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation**

Master File No. 1:00 – 1898
MDL 1358 (SAS)
M21-88

This document relates to:

Basso, et al. v. Sunoco, Inc., et al., No. 03 Civ. 9050

2
[PROPOSED] ORDER APPROVING SETTLEMENT
OF ACTION ON BEHALF OF INFANTS

Upon reading and filing of the notice of motion dated October 1, 2008, and the affidavit of John and Ann Quattrocchi, the parents and natural guardians of John T. Quattrocchi, Damon Quattrocchi, and Elaina Quattrocchi, the infants, executed on October 1, 2008; the affidavit of Peter D. Hoffman, Esq., executed on October 10, 2008 and the Declaration of Daniel M. Krainin, Esq., executed on October 22, 2008;

In Re: Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation

Doc. 2165

Now, on motion of Peter D. Hoffman, Esq., the attorney for Plaintiffs John Quattrocchi, Ann Quattrocchi, John T. Quattrocchi, Damon Quattrocchi, and Elaina Quattrocchi (the "Quattrocchi Family"), it is ORDERED

1. John and Ann Quattrocchi, as parents having legal custody of the infants, John T. Quattrocchi, Damon Quattrocchi, and Elaina Quattrocchi, be and are hereby authorized and permitted to compromise and settle the above-captioned action (the "Action") for and on behalf of the Quattrocchi Family (including the infants, John T. Quattrocchi, Damon Quattrocchi, and Elaina Quattrocchi), against Defendants Sunoco, Inc. and Sunoco, Inc. (R&M) ("Sunoco") in the


amount of \$10,000.00 (the "Settlement Payment"), conditioned upon compliance with the remaining provisions of this Order.

2. Defendant Sunoco shall make the Settlement Payment with a check made payable to Peter D. Hoffman, Esq., as Attorney for the Quattrocchi Family (including Mr. and Mrs. John and Ann Quattrocchi, both on behalf of themselves and as the parents having legal custody of John T. Quattrocchi, Damon Quattrocchi, and Elaina Quattrocchi, the infants).

3. Within 30 days of receiving the Settlement Payment, John and Ann Quattrocchi, as parents having legal custody of the infants, John T. Quattrocchi, Damon Quattrocchi, and Elaina Quattrocchi, shall move this Court for an order dismissing the Quattrocchi Family's claims against Defendant Sunoco with prejudice.

4. The Settlement Payment shall be held by Peter D. Hoffman, Esq., counsel for the Quattrocchi Family, in an escrow account until such time as this Court enters a order dismissing the Quattrocchi Family's claims against Defendant Sunoco from the above-captioned action with prejudice. If the Court declines to enter such an order, Peter D. Hoffman, Esq., shall refund the Settlement Payment to Defendant Sunoco within 30 days of such an order.

Dated December 1, 2008



Hon. Shira A. Scheindlin, U.S.D.J.